

ED

Notice of Allowability

Application No.

10/758,592

Examiner

Debra Wolfe

Applicant(s)

FRANK ET AL.

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to July 9, 2007.
2. ☒ The allowed claim(s) is/are 2,3,7 and 15-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/743183.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

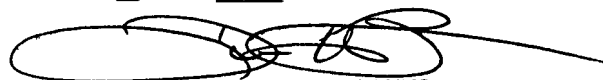
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700



NOTICE OF ALLOWABILITY

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andreas Grubert on July 18, 2007.

The application has been amended as follows:

1. Please delete the title of the invention on page 1 line 1 and insert --METHOD FOR PRODUCING A COMPENSATION COLLAR FOR AN INJECTION VALVE--
2. In claim 2 line 8 delete "said" and insert --a--
3. In claim 15 line 4 delete "said" and insert --a--
4. In claim 17 line 9 delete "said prestressing device" and insert --**said prestressing device; removing said prestressing device; and inserting a piezoactor.**--
5. Claims 4-6 and 8-14 are cancelled based on the election response without traverse dated October 16, 2006.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance.

1. It is the opinion of the examiner that the art of record (considered as a whole) neither anticipates nor renders obvious "removing said prestressing device; and inserting a piezoactor" in combination with the rest of the claimed limitations set forth in independent claims 2 and 17,



and neither anticipated nor renders obvious "wherein the prestressing device is inserted so far into said injection valve to force said compensation collar to a thickness at which a base plate of the prestressing device causes an opening of a servo valve of said injection valve" in combination with the rest of the claimed limitations set forth in independent claim 16.

Searching by the examiner yielded prior art as follows:

2. Bohn (US Patent # 2,675,022) discloses a method for producing a compensation collar for an injection valve comprising the steps of providing an injection valve without an insertable piezoactor, inserting a compensation collar (10a) having a thickness and deforming the compensation collar (10a) to a thickness by inserting a prestressing device (10) into the injection valve.
3. The above cited prior art fails to disclose the removal of the prestressing device and the insertion of a piezoactor or inserting the prestressing device into the injection valve to force the compensation collar to a desired thickness that will cause the opening of the servo valve of the injection valve. Therefore, it is concluded that claims 2, 16 and 17 of the present invention are allowable subject matter over the prior art. Claims 2, 3, 7 and 15-18 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra Wolfe whose telephone number is (571) 272-1904. The



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examiner can normally be reached Monday - Thursday 7am - 4:30pm with alternating Friday 7am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached at (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Debra M Wolfe
Examiner
Art Unit 3725

DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

**Procedure for Positioning the Actuating Drive
in a Fuel Injector and Device for Performing
the Procedure**

Inventor: Wilhelm Frank et al.

Attorney Docket.: 071308.0523

Replacement Sheet 1/1

OK to
enter - DW

